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PLUTONIUM DISPOSITION
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STATEMENT OF NON-GOVERNMENTAL ORGANIZATIONS
ON PLUTONIUM DISPOSITION

June 15, 1999
FINAL VERSION

The nuclear arms race has left the United States and Russia with large plutonium stockpiles. Both countries have had terrible experience with plutonium processing and its attendant wastes. Contamination of areas such as Hanford, Savannah River, and Rocky Flats in the United States, and Chelyabinsk, Tomsk, and Krasnoyarsk in Russia demonstrates the hazards of plutonium processing, and the poor environmental and safety culture of the US Department of Energy (DOE) and the Russian Ministry of Atomic Energy (Minatom).

With the end of the Cold War, we have the opportunity to redirect resources from nuclear weapons programs into cleaning up the legacy of nuclear weapons development, and to other needed programs. Under the pressure of people of both countries, the governments of the US and Russia have between them declared 100 metric tons of plutonium (roughly one-third of the total) to be "surplus" to military needs. We recognize the need for this plutonium to be stored as safely as possible, and to be converted into non-weapons-usable forms.

However, we are deeply disturbed by the primary method by which this conversion is planned. We are convinced that using surplus weapons plutonium in fuel for nuclear reactors (known as mixed-oxide or MOX fuel) is not an acceptable solution. A better method of disposition would be to immobilize the plutonium — that is, to mix it with ceramic or glass and to provide a radioactive barrier to further prevent theft and diversion.

We are very concerned about the safety risks of using MOX fuel in existing reactors, almost none of which are designed to run on plutonium fuel. According to a study released by the Nuclear Control Institute in January, the use of a one-third core of warhead plutonium fuel in U.S. nuclear reactors could result in up to a 37% increase in cancer risk to the public in the event of a severe accident. Concerns are even greater in Russia. Many of the Russian reactors slated for MOX use are old and will reach the end of their 30-year licensed lifetimes before the disposition program is complete. Furthermore, Russian regulatory agencies do not have sufficient resources or political standing to adequately ensure safety at a MOX fabrication facility and at reactors.

Furthermore, we are dismayed that the people of both countries have been cut out of the process as decisions about plutonium disposition are made. The US has not ensured that Russian programs funded with American money follow environmental and public participation requirements. Joint US-Russian documents are largely unavailable to the Russian public, and the Russian translation of a 1996 joint study was marked "for official use only." Within the US itself, the DOE has made a mockery of the public participation process by issuing a contract for production and irradiation of MOX fuel before issuing a final Environmental Impact Statement and Record of Decision on the subject. It has also failed to include the input of communities living near reactors that are proposed for MOX fuel irradiation. Much of the European reprocessing and MOX performance record, cited by

DCR008

DCR008-1

MOX Approach

DOE acknowledges the commentors' concern regarding the use of weapons-grade plutonium in MOX fuel and irradiating it in commercial reactors. DOE has identified as its preferred alternative the hybrid approach. Pursuing both immobilization and MOX fuel fabrication provides the United States important insurance against potential disadvantages of implementing either approach by itself. The hybrid approach also provides the best opportunity for U.S. leadership in working with Russia to implement similar options for reducing Russia's excess plutonium in parallel. Further, it sends the strongest possible signal to the world of U.S. determination to reduce stockpiles of surplus plutonium as quickly as possible and in a manner that would make it technically difficult to use the plutonium in nuclear weapons again.

The commercial reactors selected for the MOX approach include only those reactors whose operational life is expected to last beyond the life of the surplus plutonium disposition program. Furthermore, although no U.S. commercial reactors are licensed to use plutonium-based fuel, several are designed to use MOX fuel, and others can easily and safely accommodate a partial MOX core.

The environmental, safety and health consequences of the MOX approach at the proposed reactors are addressed in Section 4.28. This section analyzes several reactor accidents, including both design basis and beyond-design-basis accidents. For MOX fuel, as compared to LEU fuel, there is an increase in risk, about 3 percent, for the large-break loss-of-coolant accident (the bounding design basis accident). The largest increase in risk for beyond-design-basis accidents is approximately 14 percent for an interfacing systems loss-of-coolant accident at North Anna. Both of these accidents have an extremely low probability of occurrence. In the unlikely event this beyond-design-basis accident were to occur, the expected number of LCFs would increase from 2,980 to 3,390 with a partial MOX core and prompt fatalities would increase from 54 to 60. At North Anna, the likelihood of a large-break loss-of-coolant accident occurring is 1 chance in 48 thousand per year and the likelihood of an interfacing systems loss-of-coolant accident occurring is 1 chance in 4.2 million per year.

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NRC would evaluate license applications and monitor the operations of both the MOX facility and domestic, commercial reactors selected to use MOX fuel, to ensure adequate margins of safety.

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Nonproliferation

DOE acknowledges the commentor's concerns regarding the safe disposition of surplus Russian plutonium as MOX fuel, although programmatic and policy issues such as U.S. policies toward plutonium disposition in Russia are beyond the scope of this SPD EIS. The scope of this SPD EIS is focused on analysis of alternatives on whether and how much U.S. surplus plutonium should be used as MOX fuel, which technology should be used for immobilization, where to construct the proposed surplus plutonium disposition facilities that are needed, and where to perform lead assembly fabrication and testing.

DCR008-3

General SPD EIS and NEPA Process

The public outreach programs available to the people of Russia concerned with plutonium disposition are beyond the scope of this SPD EIS. Since the inception of the U.S. fissile materials disposition program, DOE has supported a vigorous public participation policy. It has conducted public hearings in excess of the minimum required by NEPA regulations to engender a high level of public dialogue on the program. The office has also provided the public with substantial information in the form of fact sheets, reports, exhibits, visual aids, and videos related to fissile materials disposition issues. It hosts frequent workshops, and senior staff members make presentations to local and national civic and social organizations on request. Additionally, various means of communication—mail, a toll-free telephone and fax line, and a Web site (<http://www.doe-md.com>)—have been provided to facilitate the public dialogue.

Efforts were made to contact persons living near the selected reactor sites and inform them of the proposed use of MOX fuel. The *Supplement to the SPD Draft EIS* was mailed to those stakeholders who requested it as well as to those specified in the DOE *Communications Plan* (i.e., Congressional representatives, State and local officials and agencies, and public interest

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groups around the United States) and the utilities' contact lists. The utilities, Duke Power Company and Virginia Power Company, would operate the proposed reactors (located in North Carolina, South Carolina, and Virginia) should the MOX approach be pursued per the SPD EIS ROD. For those interested parties who could not attend the public hearing on the *Supplement* held in Washington, D.C., DOE provided various other means for the public to express their concerns and provide comments: mail, a toll-free telephone and fax line, and the MD Web site. Further, interested parties would likely have the opportunity to submit additional comments during the NRC reactor license amendment process.

DOE conducted a procurement process in accordance with DOE NEPA regulations 10 CFR 1021.216. The selected team, DCS, would design, request a license, construct, operate, and deactivate the MOX facility as well as irradiate the MOX fuel in domestic, commercial reactors. However, these activities are subject to the completion of the NEPA process. As stipulated in DOE's phased contract with DCS, until and depending on the decisions regarding facility siting and approach to surplus plutonium disposition are made and announced in the SPD EIS ROD, no substantive design work or construction can be started by DCS on the MOX facility. Should DOE decide to pursue the No Action Alternative or the immobilization-only approach, the contract with DCS would end. The contract is phased so that only nonsite-specific base contract studies and plans can be completed before the ROD is issued, and options that would allow construction and other work would be exercised by DOE if, and only if, the decision is made to pursue the MOX approach. DOE is not permitted to disseminate proprietary or secret information, although as much information as possible (e.g., redacted copies of the contract with DCS) has been made available to the public. To learn more about the surplus plutonium disposition program or DCS, the team selected to fabricate the MOX fuel and irradiate it; request to be included on the mailing list; or to contact the program office, visit the MD Web site at <http://www.doe-md.com>. Written requests for information on the program can be addressed to: Office of Fissile Materials Disposition, United States Department of Energy, P.O. Box 23786, Washington, DC 20026-3786.

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DOE as proof that MOX is a sound technology, is secret, further hindering public participation.

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We hear a number of contradictory things from the US and Russian governments about the rationale behind a MOX program. DOE representatives say that the United States must support MOX programs in both countries because Russia insists upon it. Meanwhile, Minatom has said that it would prefer not to undertake a large-scale MOX program at the current time, and will do so only with heavy funding from abroad.

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Minatom officials claim that plutonium is a valuable energy resource. Yet by their own estimates, plutonium-based nuclear energy will be more expensive than uranium-based nuclear energy for at least several decades. US officials say that MOX is not being pursued for its energy value but rather that it has been chosen to facilitate quick disposition of plutonium in Russia. However, immobilization is likely to be a much faster and cheaper method of plutonium disposition than MOX.

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Finally, we are told that the MOX program is a non-proliferation measure. But under pressure from nuclear establishments in both countries, the goal of stabilization and immobilization of plutonium has been undermined by a program which threatens to push both countries into a plutonium economy. Money makes policy. The larger the investment into plutonium facilities under the auspices of a disposition program, the more likely it is that these facilities will continue to be used for other purposes once the disposition program is completed. Furthermore, it is apparent that international plutonium companies such as Cogema (France) and British Nuclear Fuels, Ltd. are seeking to serve their own financial interests by pushing MOX.

Fresh MOX fuel in commerce presents a proliferation threat as the plutonium in it can be removed and used for weapons purposes. A 1997 DOE non-proliferation assessment of plutonium disposition found "that fresh MOX fuel remains a material in the most sensitive safeguards category, because plutonium suitable for use in weapons could be separated from it relatively quickly and easily."

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It is clear to us that rather than solving the problem of placing plutonium into safe and secure forms, a MOX program is likely to promote further plutonium processing and use, something that is undesirable on environmental, safety, economic, and non-proliferation grounds.

Therefore, we call on the US and Russian governments to stop MOX disposition programs in both countries. Instead, emphasis should be placed on safe storage and development of immobilization programs.

Plutonium disposition programs must include significant and meaningful public input, including access to all information, including costs and operating records of the various actors involved in a disposition program. The public in the communities most directly affected should have ample opportunity for meaningful input into the decision-making process. All US funding of Russian programs should be contingent on compliance with the appropriate environmental and public process laws.

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Nonproliferation

The *Joint Statement of Principles* signed by Presidents Clinton and Yeltsin in September 1998 provide general guidance for achieving the objectives of a future bilateral agreement to disposition surplus plutonium in the United States and Russia. Sensitive negotiations between the two countries have indicated that the Russian government accepts the technology of immobilization for low-concentration, plutonium-bearing materials, but that the MOX approach would be considered for higher-purity feed materials.

Understanding the economic dilemma in Russia, the U.S. Congress has appropriated funding for a series of small-scale tests and demonstrations of plutonium disposition technologies jointly conducted by the United States and Russia. In fiscal year 1999 (starting October 1998), Congress further appropriated funding to assist Russia in design and construction of a plutonium conversion facility and a MOX fuel fabrication facility. This funding would not be expended until the presidents of both countries signed a new agreement. Although the amount appropriated by Congress is not sufficient to fund the entire Russian surplus plutonium disposition program, the United States is working with Russia and other nations to resolve this issue.

DOE agrees that plutonium oxide and fresh MOX fuel are proliferation concerns and would only ship these materials in SST/SGTs as discussed in Appendix L. To avoid proliferation concerns at the proposed plutonium disposition facilities, they would be built to meet DOE and/or NRC's highest security standards, guarded by heavily armed security forces, and surrounded by state-of-the-art security equipment. However, DOE does not agree that MOX presents a larger proliferation concern than immobilized plutonium. A nonproliferation assessment was completed by DOE on the various alternatives for disposing of surplus plutonium. This assessment, *Nonproliferation and Arms Control Assessment of Weapons-Usable Fissile Material Storage and Excess Plutonium Disposition Alternatives* (DOE/NN-0007, January 1997), concluded that "Each of the options for disposition of excess weapons plutonium that meets the Spent Fuel Standard would, if implemented appropriately, offer major nonproliferation and arms reduction benefits. . ."

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Signatories to the Statement of Non-Governmental Organizations on Plutonium Disposition June 15, 1999

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Use of MOX fuel in domestic, commercial reactors is not proposed in order to subsidize the commercial nuclear power industry. Rather, the purpose of this proposed action is to safely and securely disposition surplus plutonium by meeting the Spent Fuel Standard. The Spent Fuel Standard, as identified by NAS and modified by DOE, is to make the surplus weapons-usable plutonium as inaccessible and unattractive for weapons use as the much larger and growing quantity of plutonium that exists in spent nuclear fuel from commercial power reactors. Consistent with the U.S. policy of discouraging the civilian use of plutonium, a MOX facility would be built and operated subject to the following strict conditions: construction would take place at a secure DOE site, it would be owned by the U.S. Government, operations would be limited exclusively to the disposition of surplus plutonium, and the MOX facility would be shut down at the completion of the surplus plutonium disposition program. For reactor irradiation, the NRC license would authorize only the participating reactors to use MOX fuel fabricated from surplus plutonium, and the irradiation would be a once-through cycle with no reprocessing.

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Alternatives

DOE has identified as its preferred alternative the hybrid approach as discussed in response DCR008-1. As shown in the cost report, *Cost Analysis in Support of Site Selection for Surplus Weapons-Usable Plutonium Disposition* (DOE/MD-0009, July 1998), it is expected that the hybrid approach would be more expensive than the immobilization-only approach.

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